

**Rec'd PCT/PTO****25 JUL 2005**

Docket: 285-232 PCT US (186825/US/2)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

First Named Inventor:	John Morris	
Appln. No.:	10/509,585	
Filing Date:	March 31, 2003	Examiner: Unknown
Title:	Method of Making Bone Particles	Group Art Unit: Unknown

**SUBMISSION UNDER 37 C.F.R. § 3.73(b)**

Commissioner for Patents  
P.O. Box 1450  
Alexandra, Virginia 22313-1450

Sir:

**Osteotech, Inc.**, a Delaware corporation, is an owner of the patent application identified above by virtue of either:

1. ☒ An assignment from the inventor(s) of the patent application identified above, a copy of which is attached.

OR

2. ☐ A chain of title from the inventor(s), of the patent application identified above, to the current assignee as shown below:
- a. From: To:  
The document was recorded in the U.S. Patent and Trademark Office at Reel  
, Frame , or a copy of which is attached.
- b. From: To:  
The document was recorded in the U.S. Patent and Trademark Office at Reel  
, Frame , or a copy of which is attached.

The undersigned (whose title is supplied below) is empowered to sign this statement on behalf of **Osteotech, Inc.**

Dated: 7/20/05Signature: Name: MARK L. BURROUGHSTitle: VP Finance

Effective on 12/08/04

# FEE TRANSMITTAL SHEET (FY 2005)

Complete if Known

Application No.	10/509,585
Filing Date	March 31, 2003
First Inventor	John Morris
Group Art Unit	Unknown
Examiner Name	Unknown
Atty. Docket Number	285-232 PCT US (186825/US/2)

☒ Applicant claims small entity status (see 37 C.F.R. 1.27)

## METHOD OF PAYMENT (Check One)

☒ Check ☐ Credit Card ☐ Money Order☒ Deposit Account No.: 04-1420

Deposit Account Name: DORSEY &amp; WHITNEY LLP

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

☒ Charge any additional fees or underpayments of fee(s) under 37 C.F.R. 1.16 and 1.17☒ Credit any overpayments☐ Other (please identify):

## Extra Claim Fees

Current Claims	Prior	Extra	Fee	Fee Paid
Total	20	=	x \$	= \$
Ind.	3	=	x \$	= \$
Multiple Dependent Claims		=	x \$	= \$
Total (Extra Claims)				\$

## Petition Fee Under 37 CFR 1.17(f), (g), &amp; (h)

Enclosed is a Petition filed under 37 CFR as indicated below:

☐ Petition Fee under 37 CFR 1.17(f) Fee \$400

§ 1.53(e) to accord a filing date.  
§ 1.57(a) to accord a filing date.  
§ 1.182 for decision on a question not provided for.  
§ 1.183 to suspend the rules.  
§ 1.378(e) for reconsideration of decision on petition refusing delayed payment of maintenance fee in expired patent.  
§ 1.174(b) to accord a filing date to an application under §1.740 for extension of patent term.

☐ Petition Fee under 37 CFR 1.17(g) Fee \$200

§ 1.12 for access to an assignment record.  
§ 1.14 for access to an application.  
§ 1.47 for filing by other than all inventors or person not the inventor.  
§ 1.59 for expungement of information.  
§ 1.103(a) to suspend action in an application.  
§ 1.136(b) for review of a request for ext. of time when §1.136(a) not avail.  
§ 1.295 for review of refusal to publish a statutory invention registration.  
§ 1.296 to withdraw a req. for pub. after notice of intent to publish issued.  
§ 1.377 for review of decision refusing to accept a maintenance fee filed prior to expiration of a patent.

§ 1.550(c) for request for ext. of time in *ex parte* reexam. proceedings.  
§ 1.956 for request for ext. of time in *ex parte* reexam. proceedings.  
§ 5.12 for expedited handling of foreign filing license.  
§ 5.15 for changing the scope of a license.  
§ 1.5.25 for retroactive license.

☐ Petition Fee under 37 CFR 1.17(h) Fee \$130

§ 1.19(g) to request documents in a form other than provided in this part.  
§ 1.84 for accepting color drawings or photographs.  
§ 1.91 for entry of a model or exhibit.  
§ 1.102(d) to make an application special.  
§ 1.138(c) to expressly abandon an application to avoid publication.  
§ 1.313 to withdraw an application from issue.  
§ 1.314 to defer issuance of a patent.

## FEE CALCULATION (Continued)

## 3. ADDITIONAL FEES

Large Entity Fee	Small Entity Fee	Fee Description	Fee paid
50	25	Surcharge - late provisional filing fee or cover sheet	
130	65	Surcharge - Late nonprovisional filing fee or oath	\$65.00
180	180	Submission of IDS	
40	40	Recording each patent assignment per property (times number of properties)	
120	60	Extension for reply within first month	\$60.00
450	225	Extension for reply within second month	
1,020	510	Extension for reply within third month	
1,590	795	Extension for reply within fourth month	
2,160	1,080	Extension for reply within fifth month	
790	395	Submission After Final 1.129	
500	250	Notice of Appeal	
500	250	Filing a brief in support of an appeal	
1,000	500	Request for oral hearing	
130	65	Terminal Disclaimer Fee	
1,400	700	Utility & Reissue Issue Fee	
800	400	Design Issue Fee	
790	395	Request for Continued Examination (RCE)	
300		Request for voluntary publication or republication	
500	250	Petition to Revive - unavoidable	
1,500	750	Petition to Revive - unintentional	
200		Filing for patent term adjustment	
400		Request for reinstatement of term reduced	
1,120		Extension of term of patent	

OTHER FEE  
(specify)

Subtotal (Additional Fees) \$125.00

07/28/2005 ATRAN1 01 FC:2617  
Total Amount of Payment: \$125.00  
65.00 00

Submitted by:

CUSTOMER NUMBER

25763

DORSEY &amp; WHITNEY LLP

Name: Kenneth E. Levitt

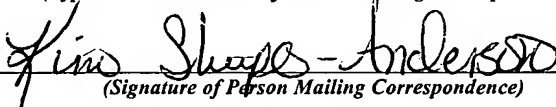
Phone No.: 612-340-2755

Fax No.: 612-340-8856

Signature:

Reg. No.: 39,747

Date: 7/25/05

<b>CERTIFICATE OF MAILING BY "EXPRESS MAIL" (37 CFR 1.10)</b> Applicant(s):			Docket No. <b>#4</b> 285-232 PCTUS (186825/US/2)	
Serial No. <b>10/509,585</b>	Filing Date <b>March 31, 2003</b>	Examiner <b>Unknown</b>	Group Art Unit <b>Unknown</b>	
Invention: <b>Method of Making Bone Particles</b>				
<p>I hereby certify that the following correspondence:</p> <div style="border: 1px solid black; padding: 5px; margin: 10px 0;"> <b>Filing of Missing Requirements; Copy of Notification Requirements under 35 U.S.C. 371; Declaration; Power of Attorney; Submission under 37 C.F.R. 3.73(b); Copy of Assignment; Petition for Extension of Time; Fee Transmittal; Check for \$125.00; and a Return Postcard.</b> </div> <p style="text-align: center;"><i>(Identify type of correspondence)</i></p> <p>is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on</p> <div style="text-align: center; margin-top: 20px;"> <u>July 25, 2005</u>  <i>(Date)</i> </div> <div style="text-align: center; margin-top: 40px;"> <u>Kim Shupe-Anderson</u>  <i>(Typed or Printed Name of Person Mailing Correspondence)</i>    <i>(Signature of Person Mailing Correspondence)</i> </div> <div style="text-align: center; margin-top: 20px;"> <u>EV040150330US</u>  <i>("Express Mail" Mailing Label Number)</i> </div>				
<p><b>Note: Each paper must have its own certificate of mailing.</b></p>				

Rec'd PCT/PTO

25 JUL 2005

Docket: 285-232 PCT US (186825/US/2)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

First Named Inventor:	John Morris	#4
Appln. No.:	10/509,585	
Filing Date:	March 31, 2003	
Title:	Method of Making Bone Particles	
		Examiner: Unknown
		Group Art Unit: Unknown

FILING OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371

Mail Stop PCT  
Commissioner for Patents  
P. O. Box 1450  
Alexandria, Virginia 22313-1450

Dear Sir:


In response to the Notice To File Missing Parts of Application-Filing Date Granted, date mailed April 25, 2005 pursuant to 37 CFR § 1.53(f), the following documents are enclosed:

1. Required copy of the Notice to File Missing Parts of Application
2. Copy of signed Declaration;
3. Power of Attorney;
4. Submission under 37 C.F.R. 3.73(b);
5. Copy of Assignment;
6. Petition for Extension of Time;
7. Fee Transmittal Sheet;
8. Check for \$125.00;
9. Return Receipt Postcard.

Respectfully submitted,

DORSEY & WHITNEY LLP  
Customer Number 25763

Date: 7/25/05

By:   
Kenneth E. Levitt, Reg. No. 39,747  
(612) 340-2755



## UNITED STATES PATENT AND TRADEMARK OFFICE

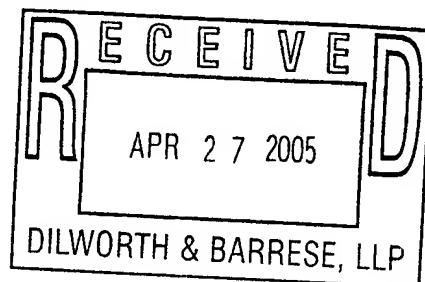
Rec'd PCT/PTO

25 JUL 2005

UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
 Address: COMMISSIONER FOR PATENTS  
 P.O. Box 1450  
 Alexandria, Virginia 22313-1450  
 www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/509,585	John Morris	285-323 PCT US

Dilworth & Barrese  
 333 Earle Ovington Blvd.  
 Uniondale, NY 11553



INTERNATIONAL APPLICATION NO.	
PCT/US03/09878	
IA. FILING DATE	PRIORITY DATE
03/31/2003	03/29/2002

CONFIRMATION NO. 2545

371 FORMALITIES LETTER



\*OC000000015817395\*

Date Mailed: 04/25/2005

### NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Indication of Small Entity Status
- Copy of the International Application filed on 09/29/2004
- Copy of the International Search Report filed on 09/29/2004
- Information Disclosure Statements filed on 09/29/2004
- Request for Immediate Examination filed on 09/29/2004
- U.S. Basic National Fees filed on 09/29/2004
- Priority Documents filed on 09/29/2004

DOCKET 285-232 PCT US  
 PAPER many Pts  
 DUE DATE 6/25  
 ATTORNEY gma

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- \$65 Surcharge for providing the oath or declaration later than 30 months from the priority date (37 CFR 1.492(e)) is required.

## SUMMARY OF FEES DUE:

Total additional fees required for this application is \$65 for a Small Entity:

- \$65 Late oath or declaration Surcharge.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

CHARITTA A BURT

Telephone: (703) 308-9140 EXT 207

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/509,585	PCT/US03/09878	285-323 PCT US

FORM PCT/DO/EO/905 (371 Formalities Notice)